

**CITY OF LEADVILLE, COLORADO**  
**Ordinance No. 4**  
**Series of 2011**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEADVILLE,  
COLORADO, CHANGING THE BOUNDARIES OF THE THREE WARDS OF  
THE CITY AND REPEALING ORDINANCES IN CONFLICT THEREWITH**

**WHEREAS**, Section 31-4-104, C.R.S. requires that the City of Leadville be divided into wards;  
and

**WHEREAS**, Section 31-4-104, C.R.S. further provides that the boundaries of the wards shall not be changed more often than once in six years, unless the change is necessary to conform to constitutional apportionment requirements; and

**WHEREAS**, the last change in ward boundaries was done by Ordinance #6, Series 1993, passed on second reading on December 7, 1993, which became effective on January 8, 1994; and

**WHEREAS**, the City Clerk has reviewed the latest available census figures following the 2010 federal census and has determined that the differential between the ward with the highest population (Ward 1), and, the ward with the lowest population (Ward 2), is 19.2%; and

**WHEREAS**, the City Clerk has recommended a change to the boundaries of the City Council wards as set forth on the Official 2011 Ward Map attached hereto as Exhibit A and in the Metes and Bounds Description of the Ward Boundaries attached hereto as Exhibit B; and

**WHEREAS**, the changes to the ward boundaries as set forth herein results in a population percentage differential between the ward with the highest population number (Ward 2) and the ward with the lowest population number (Ward 3) of 5.5%; and

**WHEREAS**, City Council desires to change the boundaries of the Council wards as set forth herein, which changes shall be effective for the regular City election to be held in 2011.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
LEADVILLE, COLORADO:**

**Section 1.** The City Council of the City of Leadville adopts the recitations set forth above as findings of the City Council and finds and determines further as follows:

- a. The boundaries of the wards of the City of Leadville have not been changed within the preceding six years;
- b. The boundaries of the existing wards do not provide for a proper apportionment of the City for municipal election purposes; and
- c. The boundaries of the new wards as hereafter set forth provide for proper apportionment of the City.

**Section 2.** Section 1.16.010 of the Leadville Municipal Code is hereby amended as follows with additions shown in ALL CAPS and deletions shown in ~~strike through~~ text:

***1.16.010 Wards—Established—Boundaries.***

The city is divided into three wards, with numbers and boundaries as follows:

- A. First Ward. All that portion of the city designated as “Ward One” on the Official Ward Map, AS MAY BE AMENDED BY ORDINANCE FROM TIME TO TIME.
- B. Second Ward. All that portion of the city designated as “Ward Two” on the Official Ward Map AS MAY BE AMENDED BY ORDINANCE FROM TIME TO TIME.
- C. Third Ward. All that portion of the city designated as “Ward Three” on the Official Ward Map AS MAY BE AMENDED BY ORDINANCE FROM TIME TO TIME.

Each of the three wards of the city shall be an election precinct.

The Official Ward Map, which is on file in the office of the city clerk, is adopted by reference and incorporated into this section of the code. Where the dividing line between two wards is shown as a platted street, alley or public right-of-way, the actual dividing line shall be the centerline of such street, alley or right-of-way. Disputes regarding the exact location of any ward boundary line shall be decided by the city council.

**Section 3. Repeal of Prior Conflicting Ordinances.** This Ordinance shall be construed to repeal any prior or existing ordinance or portion thereof in conflict herewith to the extent of such conflict.

**Section 4. Remaining provisions.** Except as specifically amended hereby, all other provisions of the Leadville Municipal Code and the various secondary codes adopted by reference therein, shall continue in full force and effect.

**Section 5. Severability.** Should any one or more sections or provisions of this ordinance or enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

**Section 6. Safety Clause.** This ordinance is deemed necessary for the protection of the public health, welfare and safety of the City.

**Section 7. Effective Date.** This Ordinance shall take effect and be in full force thirty (30) days following final adoption and publication pursuant to Section 31-16-105, C.R.S.

**INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED in full on first reading this 17th day of May, 2011.**

CITY OF LEADVILLE, COLORADO

ATTEST:

\_\_\_\_\_  
Bud Elliott, Mayor

\_\_\_\_\_  
Joseph Swyers, City Clerk

PUBLISHED in full in *The Herald Democrat*, a newspaper of general circulation in the City of Leadville, Colorado, on the 26th day of May, 2011.

PASSED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY with any amendments on the 21st day of June, 2011.

CITY OF LEADVILLE, COLORADO

ATTEST:

\_\_\_\_\_  
Bud Elliott, Mayor

\_\_\_\_\_  
Joseph Swyers, City Clerk

PUBLISHED by title only in *The Herald Democrat*, a newspaper of general circulation in the City of Leadville, Colorado, on the 30th day of June, 2011.

EXHIBIT A  
OFFICIAL 2011 WARD MAP



EXHIBIT B  
OFFICIAL 2011 METES AND BOUNDS DESCRIPTION OF WARD BOUNDARIES

2011 Metes and Bounds description of the Ward boundaries for the City of Leadville.

Ward 1: Commencing at the intersection of Hazel Street and East 12<sup>th</sup> Street, thence east, south and west along the city boundary to County Road 6 (Gun Club or Dump Road), thence north along said road to US Highway 24, thence east along said highway to Harrison Avenue, thence north along said avenue to 5<sup>th</sup> Street, thence east along said street to Poplar Street, thence north along said street to East 11<sup>th</sup> Street, then east along said street to Hazel Street, thence north along said street to the intersection of Hazel Street and East 12<sup>th</sup> Street at the point of beginning.

Ward 2: Commencing at the intersection of James Street and McWethy Drive /West 10<sup>th</sup> Street, thence east along West 10<sup>th</sup> Street and continuing along the northern city boundary to and along East 12<sup>th</sup> Street to Hazel Street, thence south along said street to East 11<sup>th</sup> Street, thence west along said street to Poplar Street, thence south along said street to East 5<sup>th</sup> Street, thence west along said street to Harrison Avenue, thence south along said avenue and west on US Highway 24 to Spruce Street, thence north along said street to the northern end of said street, thence directly north approximately 200 feet to the Mineral Belt Trail, thence west along said paved trail to James Street, thence north along said street to McWethy Drive /West 10<sup>th</sup> Street at the point of beginning.

Ward 3: Commencing at the intersection of James Street and McWethy Drive /West 10<sup>th</sup> Street, thence south along James Street to the Mineral Belt Trail, thence east along said paved trail to a point directly north of the northern end of Spruce Street, thence south approximately 200 feet to Spruce Street, thence south on said street to the intersection of US Highway 24, Spruce Street and County Road 6 (Gun Club or Dump Road), thence south along said county road to the city boundary, thence west along the southern city boundary to County Road 41 (College Road) and the western city boundary, thence north along said boundary paralleling said road to US Highway 24, thence west, north, and east along the city boundary to the intersection of James Street and McWethy Drive /West 10<sup>th</sup> Street at the point of beginning.